

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

JANICE OUHRABKA,

Plaintiff,

v.

EXELTIS USA, INC.,

Defendant.

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CASE NO. 4:20-cv-215-RWS

DISCOVERY HOTLINE ORDER

On December 30, 2020, the undersigned received a call on the Discovery Hotline in this case. *See* Local Rule CV-26(e). The Court held a telephone hearing the same day with Defendant's counsel, Robert Friedman, and Plaintiff's counsel, Jessica Anderson on behalf of Robert Goodman, regarding a dispute that arose during the second day of a deposition of a third-party witness. The deponent was not represented by counsel.

Defendant's counsel completed his second day of questioning the witness after two hours of witness testimony. Plaintiff's counsel then requested that the deposition be continued for a subsequent day, as she did not believe she could conclude her questioning on December 30, 2020. Defendant's counsel insisted that the deposition continue, and that Plaintiff's counsel begin questioning the witness. The Court heard argument on the parties' positions. Counsel for both parties confirmed the witness had no age or health issues and had testified she was able to continue with the deposition.

As stated during the telephone hearing, the Court **ORDERS** that the deposition continue until a reasonable stop time on December 30, 2020, and/or the witness testifies that she needs to end the deposition.

So ORDERED and SIGNED this 4th day of January, 2021.

A handwritten signature in black ink, appearing to read 'KLPJ', is written over a horizontal line.

KIMBERLY C. PRIEST JOHNSON
UNITED STATES MAGISTRATE JUDGE